

FILED

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

2008 APR -8 A 10:45

**U.S. DISTRICT COURT
RICHMOND, VIRGINIA**

**UTOPIAN WIRELESS CORPORATION,
Plaintiff**

ANSWER TO COMPLAINT

v.

Civil Action No. 3:08CV155

**CHURCH SCHOOLS IN THE DIOCESE
OF VIRGINIA
d/b/a STUARTS HALL, INC.,**

and

**BRENDA A. BUCHANAN,
Defendants**

Comes now Defendant Brenda A. Buchanan, and for Answer to the Complaint exhibited against her states unto the Court as follows:

**Count III – Attorney's Fees for Breach of Contract
(Against Defendants Church Schools d/b/a Stuart Hall and Buchanan)**

42. Defendant Buchanan denies the allegations contained in Paragraph 42.
43. Defendant Buchanan denies that Defendant Church Schools failed to prepare and submit all necessary documents and denies that Defendant Church Schools failed to prepare and submit the notification.
44. Defendant Buchanan neither admits nor denies the allegations contained in Paragraph 44.
45. Defendant Buchanan denies that Defendant Church Schools breached any warranty, representation, agreement or obligation.
46. Defendant Buchanan denies that Plaintiff is entitled to any attorney's fees.

47. Defendant Buchanan denies that she has any responsibility for attorney's fees regardless of her actual or apparent authority to enter into contracts on behalf of Defendant Church Schools.

48. Defendant Buchanan denies the allegations contained in Paragraph 48.

WHEREFORE, Defendant Buchanan requests that the Court deny Plaintiff's request for attorney's fees from her.

**Count IV – Constructive Fraud
(Against Defendant Buchanan)**

50. Defendant Buchanan denies the allegations in Paragraph 50 that she committed constructive fraud.

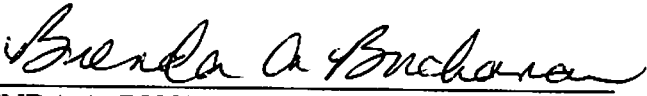
51. Defendant Buchanan denies making any false representations as enumerated in subparagraphs a through c.

52. Defendant Buchanan denies she induced the Plaintiff to rely on any of her representations and expressly denies making any misrepresentation concerning any aspect of her actual or apparent authority for Defendant Church Schools.

53. Defendant Buchanan denies the allegations contained in Paragraph 53.

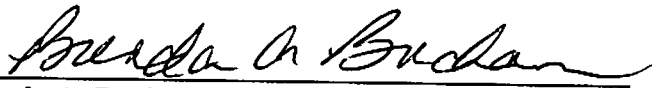
54. Defendant Buchanan denies that Plaintiff had suffered any financial loss as a result of anything Defendant Buchanan did in the course of her employment and expressly denies making any misrepresentations to Plaintiff.

WHEREFORE, Defendant Buchanan prays that Counts III and IV be dismissed in their entirety and that her costs and attorney's fees in defending this action be awarded to her.


BRENDA A. BUCHANAN

CERTIFICATE

I hereby certify that a true and correct copy of the foregoing Answer was mailed this 7th day of April, 2008, to James H. Rodio, Esquire, Holland & Knight, LLP, 1600 Tysons Boulevard, Suite 700, McLean, Virginia 22102.


Brenda A. Buchanan